



WEEKLY REPORT

ARIZONA GAME AND FISH DEPARTMENT

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Arizona Game and Fish Commission

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Publish Date: Friday, May 13, 2016

Day of Session: 117
Bills Posted: 1247
Bills Passed: 387
Bills Vetoed: 5
Bills Signed: 131
Mem, Res Posted: 114
Mem, Res Passed: 34

The 52nd Legislature Second Regular Session Adjourned Sine Die May 7, 2016 at 5:45 AM

Weekly Report is published by the Arizona Game and Fish Department's Legislative and Government Affairs Division. While the state's Legislature is in session, legislative staff provides a summary of bills that pertain to the Department, or that the Arizona Game and Fish Commission has voted to support or oppose, and a tracking list of bills that may have potential impacts to the state's wildlife resources. The Legislative and Government Affairs staff also actively monitors and reports on Congressional Legislation with potential impacts to the Department, and those reports (Congressional Courant) are also available online at: [AZGFD Government Affairs](http://AZGFD.GovernmentAffairs)

Commission Legislative Agenda

HB 2575: G&F; penalties; law enforcement; omnibus

Summary: A Game and Fish Commission bill including various changes relating to game and fish regulations. The fines for unlawfully taking, wounding, or killing specified animals are applied to any person convicted of unlawfully feeding wildlife that results in the lethal removal of that wildlife. The Game and Fish Commission is authorized to bring a civil action to enforce the civil penalties for unlawfully taking, wounding or killing wildlife. Any person against whom the Commission imposes a civil penalty for the unlawful taking or possession of wildlife may be denied the right to obtain a license to take wildlife until the person has made full payment of the penalty. Monies in the Wildlife Theft Prevention Fund may be used for investigations of fraud related to licenses, permits, tags or stamps. **Sponsor:** Rep. Cobb

Disposition: Not Third Read by the Senate

HB 2465: G&F; in-lieu fee; trust fund

Summary: A Game and Fish Commission bill establishing the Game and Fish In-Lieu Fee Program Restoration Endowment Trust Fund to be used to fulfill the Game and Fish Department's obligations as an in-lieu fee sponsor under the federal Clean Water Act. The Fund consists of monies deposited from proceeds received by the Department as an in-lieu fee sponsor. Monies in the Fund are continuously appropriated. The beneficiaries of the trust are the in-lieu fee projects sponsored by the Department under the Clean Water Act.

Sponsor: Rep. Brophy McGee

Disposition: Not Third Read by the Senate

SB 1361: G&F; heritage fund; expenditures

Summary: At least 20 percent, decreased from 40 percent, of monies in the Game and Fish Commission Heritage Fund that are available for property with sensitive habitat must be spent to acquire property to acquire property with sensitive habitat used by endangered, threatened and candidate species. Not more than 20 percent of those monies may be spent on the operation and maintenance of the acquired property, including infrastructure.

Sponsor: Sen. Griffin

Disposition: Signed by Governor – 05/12/2016

Commission Supported Legislation

HB 2324: *G&F; military spouses; resident licenses*

Summary: The spouse of a member of the U.S. Armed Forces who is on active duty and stationed in Arizona is allowed to purchase a resident license permitting the taking of wildlife.

Sponsor: Rep. Pratt

Disposition: Signed by Governor – 05/11/2016

SB1243: *Mexican wolf; G&F approval; reporting*

Summary: Before a Mexican gray wolf is released, translocated or cross-fostered in Arizona, the Game and Fish Commission is required to approve the release, translocation or cross-fostering. The Commission is prohibited from approving these actions within three miles of state trust land or without a full DNA profile on each Mexican gray wolf. The Game and Fish Department is required to report to the Commission at every Commission meeting a list of specified information relating to Mexican gray wolves.

Sponsor: Sen. Griffin

Disposition: Signed by Governor – 05/11/2016

SCM1014: *administratively recommended wilderness; urging Congress*

The Legislature urges the U.S. Congress to act to prohibit federal agencies from recommending and identifying Arizona's public lands as wilderness areas without express congressional consent. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona.

Sponsor: Sen. Griffin

Disposition: Transmitted to Secretary of State – 04/05/2016

Other Bills of Interest

SCM1018: *recreational shooting; Sonoran Desert Monument*

The Legislature urges the U.S. Bureau of Land Management to consider the economic and social benefits of recreational shooting, recognize that opportunities for recreational shooting are being increasingly threatened by urbanization and that the availability of federal lands is vital to the continuation of the recreational shooting tradition, and take steps to maintain access to public recreational shooting opportunities in the Sonoran Desert National Monument and complete a cumulative impact analysis on recreational target shooting as a legal, valid and compatible recreational activity on the monument and other monuments in Arizona. The Secretary of State is directed to transmit a copy of this memorial to the Director of the U.S. Bureau of Land Management.

Sponsor: Sen. Griffin

Disposition: Not Third Read by the House of Representatives

HB2105: *veterans with disabilities; benefits*

Summary: The Game and Fish Commission is authorized to issue a complimentary license to a veteran of the U.S. armed forces who has been an Arizona resident for at least one year and who is receiving compensation from the U.S. government for permanent service-connected disabilities rated as at least 25 percent disabling, instead of 100 percent disabling. A veteran certified by the U.S. Department of Veterans Affairs as having at least a 25 percent disability, instead of 100 percent, is exempt from vehicle license taxes and registration fees for a personally owned vehicle. The Arizona State Parks Board is required to issue at no charge a parks pass that grants park entrance to all Arizona state parks and to waive camping and overnight parking fees for up to 10 days per month for a veteran with a service-connected disability of at least 25 percent.

Sponsor: Rep. Lovas

Disposition: House Military Affairs & Public Safety Thurs. 2/04/16 – **FAILED 3-5-0-0**

HB 2340: *wild horses; management prohibition*

Summary: The Salt River wild horse herd is property of the state of Arizona under the jurisdiction of the Animal Services Division of the Department of Agriculture. A person is prohibited from actively managing, taking, slaughtering or euthanizing a horse that is part of the herd without written authorization from the Division. The state is not obligated to pay for the management of the herd. Violations are a class 1 misdemeanor. Emergency clause. This bill was amended #4337 with various, significant changes.

Sponsor: Rep. Townsend

Disposition: **Signed by Governor – 05/11/2016**

SB 1164: *G&F; licenses; veterans*

The Game and Fish Department is required to award a bonus point to a person who submits satisfactory proof to the Department that the person is an honorably discharged veteran of the U.S. Armed Forces.

Sponsor: Rep. McGuire

Disposition: **Not Heard by Senate Natural Resources**

SB 1268: *adequate water supply requirements; municipalities*

The Department of Water Resources is no longer required to give written notice of county adequate water supply ordinances to the mayors of all municipalities in the county, and municipalities that receive the notice are no longer required to comply with specified adequate water supply requirements. Applies to any municipality that received a notice from the Dept before the effective date of this act that the county in which the municipality is located enacted an adequate water supply ordinance affecting the municipality, and those municipalities are no longer bound by that county's adequate water supply ordinance. Does not apply to any municipality that adopts its own adequate water supply ordinance before, on, or after the effective date of this act. This bill was amended [#4138](#) to change the language of the bill, but this did not substantially change the purpose of the bill.

Sponsor: Sen. Griffin

Disposition: **Vetoed By Governor – 05/09/2016**

SB 1398: *fuel taxes; streets and highways*

Revenues collected from motor vehicle fuel and use fuel taxes are required to only be spent for road, street and highway purposes, including maintenance.

Sponsor: Sen. Griffin

Disposition: **Signed by Governor – 05/11/2016**

SB1428: *PSPRS modifications*

Various changes to statutes relating to the Public Safety Personnel Retirement System. Establishes a method for determining the employer and member contributions to PSPRS for members hired on or after July 1, 2017. Modifies the definition of “average monthly benefit compensation” for the purpose of determining PSPRS retirement benefit amounts and the definition of “normal retirement” and applies these changes only to

members hired on or after July 1, 2017. For members who are hired on or after July 1, 2017, the annual compensation of each member taken into account for purposes of the system cannot exceed \$110,000, decreased from \$200,000. Beginning in FY2020-21 and every third FY after, the PSPRS Board is required to adjust the annual compensation limit by the average change in the public safety wage index as determined by a specified method. Establishes retirement multipliers based on years of credited service for members who become a PSPRS member on or after July 1, 2017. Repeals statutes providing for benefit increases, and establishes cost-of-living adjustments for members hired on or before June 30, 2017, and for members hired on or after July 1, 2017. Increases the number of members of the PSPRS Board to nine, from seven, and modifies requirements for Board members. Establishes a 10-member PSPRS Advisory Committee. The PSPRS Board is required to establish a Public Safety Personnel Defined Contribution Plan (DC Plan) to provide for the retirement of specified participants beginning July 1, 2017. Establishes powers and duties of the Board for the DC Plan, and establishes member and employer contributions to the DC Plan. An employee who is hired on or after July 1, 2017 and who was not a member of the PSPRS on June 30, 2017 is eligible and may elect to participate in either the PSPRS or in the DC Plan, and the election made is irrevocable. The employee's participation in either system begins 90 days after the date the employee is hired. Also establishes a DC Plan disability program. More. Conditionally enacted on the state Constitution being amended as prescribed by an unspecified Senate concurrent resolution (blank in original) by vote of the people at the special election on May 17, 2016. Severability clause.

Sponsor: Sen. Lesko

Disposition: Signed by Governor – 2/16/16 Laws 2016, Chapter 2

SB1449: *Unmanned aircraft; prohibited operations*

It is a class 1 (highest) misdemeanor for a person to operate a “model aircraft” or a “civil unmanned aircraft” (both defined) if the operation is prohibited by a federal or state law or regulation that governs aeronautics, interferes with a law enforcement or emergency services operation, or causes the intentional killing of a bird or animal while in flight. It is a class 6 (lowest) felony for a person to operate or use an “unmanned aircraft” or “unmanned aircraft system” (both defined) to intentionally photograph or electronically record, to collect information for the purpose of conducting surveillance or gathering evidence on or to loiter over or near a “critical facility” (defined) without a permit or the prior written consent of the owner or operator of the critical facility, except that a second or subsequent violation is a class 5 (second-lowest) felony. It is a class 1 misdemeanor for a person to operate or use an unmanned aircraft or unmanned aircraft system to intentionally photograph or electronically record, to collect information for the purpose of conducting surveillance or gathering evidence on or to loiter over or near another person or that person's real property without the prior written consent of the person. Some exceptions. A person commits criminal trespass in the first degree, a class 5 (second-lowest) felony, by knowingly entering or remaining unlawfully in or on a critical facility, including through the use of an unmanned aircraft. A person commits criminal trespass in the first degree, a class 1 misdemeanor, by knowingly entering any residential yard through the use of a model aircraft and, without lawful authority, looking into the residential structure thereon in reckless disregard of infringing on the inhabitant's right of privacy. A person commits disorderly conduct, a class 1 misdemeanor, if, with intent to disturb the peace or quiet of a neighborhood, family or person, a person recklessly or with criminal negligence operates a model aircraft or civil unmanned aircraft that endangers a person or a person's real property. Beginning on the effective date of this legislation and for three years after, the Department of Transportation is required to monitor the Federal Aviation Administration's regulation of model aircraft, civil unmanned aircraft and public unmanned aircraft and consult with stakeholders on whether amendments to these provisions are necessary due to changes in federal regulations. In each year that monitoring is required, the Dept is required to submit a report to the Legislature that makes recommendations for amendments.

Sponsor: Sen. Kavanagh

Disposition: Signed by Governor – 05/11/2016

**For a Quick Reference to the Commission's
Position on legislation, please click the links below.**

[SUPPORT](#)
[MONITOR](#)
[OPPOSE](#)

- Support – The Arizona Game and Fish Commission has voted to support these bills
- Monitor – The Game and Fish Department is monitoring the progress of these measures, and the Arizona Game and Fish Commission has not taken a position.
- Oppose – The Arizona Game and Fish Commission has voted to oppose these bills.

If you have questions relating to legislation, please contact:
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This publication may be found online: www.azgfd.com